

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 36

September 24, 2008

SUBJECT: LOUD PARTY PROCEDURES - REVISED

LOUD PARTY ORDINANCE CITATION BOOKLET, FORM 05.02.04; WATCH COMMANDER'S LOUD PARTY LOG, FORM 15.81.00; AND LOUD PARTY WARNING NOTICE - FIRST RESPONSE, FORM 02.95.00 - DEACTIVATED

PROCEDURES FOR CITING VIOLATIONS OF LOS ANGELES MUNICIPAL CODE 112.01 (b) AND VARIOUS LOUD NOISE AND PARTY VIOLATIONS - ESTABLISHED

EFFECTIVE: IMMEDIATELY

PURPOSE: Loud music and loud party-related music complaints are responsible for tens of thousands of radio calls each year. Current Department policy has led to ineffective first responses leading to chronic offenders and repeated calls that overburden patrol resources and foster negative quality-of-life issues for the communities we serve.

Current Department policy relative to the "Loud Party Response" formerly cited on a Loud Party Warning Notice - First Response, Form 02.95.00, and/or on a Loud Party Ordinance Citation Booklet, Form 05.02.04, has proven impractical in field situations, as well as judicially ineffective.

An effective "Party Violence" reduction pilot program (Foothill Area in the year 2004) involved the use of Los Angeles Municipal Code (LAMC) Section 112.01 (b) - Radios, Television Sets, and Similar Devices, which was issued on a Non-Traffic Notice to Appear Citation, Form 05.02.02, when officers heard music audible over 150 feet from the property line to impact parties and noise complaints on the first response.

This Order advises all Department personnel of the procedure for citing violators for LAMC Section 112.01 (b) on a Non-Traffic Notice to Appear.

Unlike the Loud Party Citation process, wherein a Loud Party Warning Notice was issued during a first response, and then a Loud Party Citation (41.58 LAMC) was issued during a second

response in the presence of a supervisor, LAMC Section 112.01 (b) does not require a warning notice and does not require a supervisor to be present during the issuance of a Non-Traffic Notice to Appear citation for LAMC Section 112.01 (b).

PROCEDURE:

- I. LOUD PARTY ORDINANCE CITATION BOOKLET, FORM 05.02.04; WATCH COMMANDER'S LOUD PARTY LOG, FORM 15.81.00; AND LOUD PARTY WARNING NOTICE - FIRST RESPONSE, FORM 02.95.00 - DEACTIVATED. Effective immediately, the use of LAMC Section 41.58 - Loud Party, and the procedures related to Loud Party Enforcement, as described in Sections 4/216.64 of the Department Manual, shall be discontinued.

This Order deactivates the Loud Party Ordinance Citation Booklet, Form 05.02.04; the Watch Commander's Loud Party Log, Form 15.81.00; and the Loud Party Warning Notice - First Response, Form 02.95.00. These forms shall be marked "obsolete" and disposed of in a divisional recycling bin.

- II. PROCEDURES FOR CITING VIOLATIONS OF LOS ANGELES MUNICIPAL CODE SECTION 112.01 (b) AND VARIOUS LOUD NOISE AND PARTY VIOLATIONS - ESTABLISHED. When appropriate, officers investigating a loud party or loud music incident may cite the responsible party for LAMC Section 112.01 (b) on a Non-Traffic Notice to Appear.

Los Angeles Municipal Code Section 112.01 (b) - Radios, Television Sets, And Similar Devices, states the following:

- (a) It shall be unlawful for any person within any zone of the City to use or operate any radio, musical instrument, phonograph, television receiver, or other machine or device for the producing, reproducing or amplification of the human voice, music, or any other sound, in such a manner, as to disturb the peace, quiet, and comfort of neighbor occupants or any reasonable person residing or working in the area.
- (b) Any noise level caused by such use or operation which is audible to the human ear at a distance in excess of 150 feet from the property line of the

noise source, within any residential zone of the City or within 500 feet thereof, shall be a violation of the provisions of this section.

- (c) Any noise level caused by such use or operation which exceeds the ambient noise level on the premises of any other occupied property, or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, by more than five (5) decibels shall be in violation of the provisions of this section.

Officers may cite the responsible party at the location, or person in control of the source of the noise (e.g., stereo, amplification equipment, etc).

Note: When appropriate, officers may cite on the first response. No warning is required. Officers shall consider all relevant factors when making the determination to cite or warn. Relevant factors include the following:

- * The likelihood a warning would be effective;
- * The presence of gang, rave or "flyer" party activity;
- * The presence of juveniles;
- * The presence of other unlawful activity;
- * Chronic complaint locations; and,
- * The potential for violence at the location.

AMENDMENTS: This Order amends Section 4/216.64 and deletes Sections 5/05.02.04, 5/15.81.00, and 5/02.95.00 from the Department Manual.

AUDIT RESPONSIBILITY: The commanding officer of each concerned bureau shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.



WILLIAM J. BRATTON
Chief of Police

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